

REMARKS

Status of the Claims

Claims 1-41 were pending in this application—with claims 4-41 being withdrawn from consideration. In this response, Applicant has amended claims 1 and 3. These amendments are fully supported by the specification and do not add new matter. Specifically, the amendments to claim 1 and 3 include amending the language to more particularly point out and claim that which Applicant regards as the invention. In addition, the amendments to claim 1 include adding in the limitations in claim 2 (now cancelled). Applicant has also added new claims 42-45. These claims are directed towards a method of using the apparatus of claims 1 -3 (in their previous form). Accordingly, Applicant submits that these claims are fully supported by the specification and they are directed towards the elected claims/subject matter.

In view of the above, claims 1 and 3-45 are pending—with claims 4-41 remaining withdrawn.

In the office action, the following rejections were made:

Claim 3 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; and,

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by Urquhart (US 4,772,374).

With respect to the rejection of claim 3, Applicant has amended claim 3 as indicated above and submits that this rejection should be removed.

Turning to the rejection of claims 1-3, Applicant respectfully traverses same and requests reconsideration of same in light of the following comments and the above amendments.

Argument

Applicant submits that claim 1 (which now includes the features of claim 2), is patentable over the prior art, as Urquhart neither discloses nor suggests such a device.

Specifically, in the office action, claim 2 was rejected because the arms 222 and 224 of the device disclosed in Urquhart are pivotable and pivot around an axis. However, claim 1 includes a second pivot point having a second axis different than the first axis. In Urquhart, the

arms 222 and 224 pivot about the same axis at points 226 and 228, as identified in the office action. Thus, this does not disclose wherein the two pivot points have different axes. Moreover, there is no suggestion or teaching to modify the device to include such a feature.

This feature is advantageous, for example, because it would allow for more surface area and more surfaces of the object to be exposed directly to the electromagnetic radiation. Since Urquhart discloses using an oven as the "radiation" direct exposure of the surfaces is not needed to cure the coating. Rather, the heat is conveyed to the surface regardless of the direct exposure to the radiation source.

Accordingly, Applicant submits claim 1 is patentable over the cited prior art.

Moreover, Applicant submits that new claims 42-45 are patentable as well. These claims refer to the use of the apparatus which so far has been subject of the claims (see feature a. of new claim 42) and contain some additional features taken from the second paragraph on page 4 of the original description (see feature b. of new claim 24).

Urquhart does not contain any disclosure as to how the apparatus described therein could be used in order to obtain a homogenous and sufficient exposure of all surface zones of complicatedly shaped objects to the electromagnetic radiation.

Further, there is nothing indicating that an apparatus as disclosed by Urquhart could be used in the claimed way for achieving the above mentioned objects.

Therefore, Applicant submits new claims 42-45 are patentable over Urquhart.

CONCLUSION

In view of the above, it is submitted that the present application is in condition for issuance and a notice of allowance is respectfully solicited.

If any additional fees are required with this correspondence, the Commissioner is authorized to debit our Deposit Account 50-0545.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

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Respectfully Submitted,

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